

Appl. No. 09/738,367  
 Amdt. dated January 24, 2005  
 Reply to Office action of October 25, 2004

### REMARKS/ARGUMENTS

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for carefully considering this application.

Claims 1 through 10 remain in this application. Claims 1 through 10 have been amended to address 35 USC 112 rejections described by the Examiner in the above-referenced office letter.

#### Claim Rejections

Claim 1 is rejected under 35 USC 103(a) as being unpatentable over Bishop, and further in view of Abraham et al (US patent 5,539,906). Applicant respectfully traverses the Examiner's assertion.

Applicant's present invention describes a privilege transfer method between programs in a computing system. In this method the system's native privileged user may start a program (such as a security manager) on the system. Subsequently the privilege to administer the new program is transferred from the native privileged identity to a designated user identity. Once transferred, the initial privileged identity, the system's native privileged user, loses privilege with respect to the program (security manager) and the new registered identity gains administrative control over the program (security manager). Since the new registered identity is not the native root identity.

As discussed in the specification, one need with regard to the implementation of a security manager is establishing a model in order to apply the security manager to a computing system and then prevent the normal operating system (OS) administrative user from potentially disabling or administering the external manager without the required privilege. Applicant's present invention provides this solution.

The Examiner asserts that Bishop teaches the method applicant's invention with regard to this process. The Bishop reference describes UNIX security in a Supercomputing Environment. The reference discusses several aspects of computing. The sections cited by the Examiner under the Access, Control, Integrity and Least Privilege section. This section discusses some alternatives to the standard UNIX security

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mechanism. However, the sections cited on pages 695 and 696 do not address in any way the concepts of initializing a program having a system privilege and transferring that privilege from the native OS to a designated user, and then disabling that OS from disabling that privilege. This section does discuss methods to limit the capabilities of what is described as the super user, but does not teach or suggest any of the techniques of Applicant's present invention.

Abraham (5,539,906) discusses controlling access to elements in a data processing system based on the status of a process. This system allows certain users to access predetermined elements based the step of a process that is currently active.

For there to be obviousness, there must something that teaches or suggest the combination. Bishop discusses security processes that may serve as alternatives to standard UNIX processes. There is nothing in Bishop that teach or suggest the concepts in Abraham. Applicant further submits that even if there were a combination of the teachings of Bishop and Abraham, that combination does not describe, teach or suggest the concepts and techniques of Applicant's present invention.

With regard to Donovan (5,940,589), Donovan teaches a method for validating whether a particular terminal has access to a network. Again, this method relates to computer and computer network security, but does not suggest any of the concepts or techniques of Applicant's present invention. Donovan does not mention privilege counts. It does discuss access count, but that mentioning does not imply any relation to Bishop or Abraham. There is nothing in Abraham or Bishop to suggest the combining of these references. Additionally, a combination of these references does not teach or suggest Applicant's present invention.

Obviousness cannot be established by combining the teachings of cited references to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination. *In re Geiger* (Fed. Cir. 1987). In other words, elements of separate patents cannot be combined where there is no suggestion of such combination.

In view of the above explanation, Applicants respectfully submit that none of the art of record (alone or in combination) teaches, discloses or even suggests the invention as recited in each of Applicant's claims. Applicant further submits that all of the pending claims are in

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condition for allowance. Withdrawal of the rejections and passage to issuance is respectfully requested. Applicant believes this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned at the below listed telephone number.

Respectfully Submitted,



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January 24, 2005